

REMARKS

The recent telephone interview with the Examiner is acknowledged with appreciation. In this response, dependent claims 3 and 5 have been cancelled and the subject matter thereof has been incorporated into independent claim 1. Since these claims have already been considered by the Examiner, no new issues are presented and entry of this amendment is appropriate.

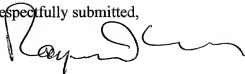
Applicant submits that the invention defined by claims 1 and 4 as now presented is both novel and non-obvious with respect to the prior art of record. In particular, the prior art does not teach or make obvious a molded food product formed of creamy or crumbly soft cheese or non-frozen milk product as claimed. The Winton reference disclosed the conventional composition of cheese, but fails to teach or suggest a molded cheese or non-frozen milk product. Soft cheese and non-frozen milk products are not moldable by conventional methods, including the method taught by Burt. Burt is concerned with producing frozen confections that retain their shape only if they are kept frozen. Claim 1 now specifies that the product is in a non-congealed state at a temperature in the range of 2°C to 8°C and that the product includes a coating of a harder consistency that the core that holds the product together. Thus, claim 1 defines a product that is quite different from the cheese compositions described in Winton and the frozen confections taught by Burt.

Since the product as claimed is neither shown nor suggested by the prior art, and since the prior art also fails to teach how to produce such a product, the invention as claimed is clearly patentable over the prior art. Favorable reconsideration by the Examiner, withdrawal of the rejection, and formal allowance of claims 1 and 4 as now presented are respectfully solicited.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Appl. No.: 10/774,879
Amdt. dated October 16, 2007
Reply to Final Office Action of August 3, 2007

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Ray O. Linker, Jr.', written over the text 'Respectfully submitted,'.

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